

Exhibit I

1
2 UNITED STATES DISTRICT COURT

3 EASTERN DISTRICT OF NEW YORK

4 Civil Action No. 2:19-cv-04666-JMA-GRB

5 -----x

6 DUSTIN HICE,

7 Plaintiff,

8
9 - against -

10
11 DON LEMON,

12 Defendant.

13 -----x

14 January 7, 2021

15 10:07 a.m.

16
17 ZOOM EXAMINATION BEFORE TRIAL of a
18 non-party witness, ISABEL PETERS, pursuant to
19 Subpoena, held at 50 Station Road, Building 1,
20 Water Mill, New York 11976 before Mandy Fein, a
21 Notary Public of the State of New York.
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25

A P P E A R A N C E S :

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STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED, by
and among counsel for the respective parties
hereto, that the filing, sealing and
certification of the within deposition shall
be and the same are hereby waived;

IT IS FURTHER STIPULATED AND AGREED that
all objections, except as to form of the
question, shall be reversed to the time of the
trial;

IT IS FURTHER STIPULATED AND AGREED that
the within deposition may be signed before any
Notary Public with the same force and effect
as if signed and sworn to before the Court.

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PETERS

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Q. Before you arrived, had you had any
3 alcohol that day?

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A. No.

5

Q. When you arrived at Murf's, did you
6 have anything to drink?

7

A. No. It was too chaotic.

8

Q. What do you mean by that?

9

A. Both the men, George and Dustin, were
10 definitely out of control yelling and
11 screaming and stuff, and the bar was pretty
12 packed.

13

Q. When you say out of control, could
14 you describe that a little bit?

15

A. Yelling across the bar to order lemon
16 drop shots, yelling out fake news, really
17 excited that there was a celebrity there.

18

Q. Did you mention to George that you
19 know Don?

20

A. At that time I did, yeah.

21

Q. Do you think, I apologize, have you
22 mentioned it to him before, is it possible that
23 George knew before that night?

24

A. It could be a possibility, but I
25 can't answer that, I don't know.

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PETERS

direction, but, like I said, there were people around, so I couldn't see.

Q. Were you talking to George at that time?

A. I am pretty sure I was, yes.

Q. So, Dustin left the conversation?

A. Uh-huh.

Q. To go somewhere else?

A. Yeah.

Q. And you were talking to George?

A. Uh-huh.

Q. And then how much time would you say went by before Dustin came back?

A. Three minutes. It was really short.

Q. What did Dustin say when he came back?

A. He definitely ran over and was like oh, my god, you're not gonna believe what just happened, and then he said what Don did, and George then yelled and was like oh, my god, no way, blah, blah, blah, and then that was when they kept -- Dustin kept doing it over and over again trying to show us what Don did.

Q. And was it your understanding he was

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PETERS

showing you and Mr. Gunilis because neither of
you had, in fact, witnessed anything?

A. Yes.

MS. LEVY: Objection.

Q. Did George see what happened between
them?

A. No.

MR. DOYLE: Objection.

Q. When Dustin was telling you about
what happened, did he say that anybody else saw
what happened?

A. No.

Q. Did he indicate whether or not
Mr. Lemon actually touched him?

A. He didn't say that he touched Dustin.

Q. Was it your understanding that he
touched him?

A. No. Because Dustin explicitly said
Don put his hands in his pants and put his
hands in my face.

Q. When you say in my face?

A. Like not touching, like in front.

Q. Did you understand that to mean that
Don had touched Dustin?

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PETERS

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believe that Dustin was assaulted, so he

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should get justice.

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Q. Why do you think that, did Dustin

5

ever tell you, you mentioned something about

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getting paid, why do you think that?

7

A. I think because George mentioned it,

8

that Dustin told his family and that they were

9

really sad and emotional about it.

10

Q. What about the money?

11

A. Well, that too.

12

Q. George mentioned that Dustin had --

13

A. That, yeah, he had told George that

14

he could -- his family basically was like, you

15

could sue the guy and get a lot of money while

16

also getting your justice.

17

Q. And then on the next page you say, I

18

went on a rant to George. Don didn't even

19

touch him.

20

Why did you say Don didn't even touch

21

him?

22

A. Because Don didn't touch him. He put

23

his so-called hands in his face. That's what

24

I was told.

25

Q. By who?

1 PETERS

2 A. By Dustin.

3 Q. Just for the record, did you ever
4 hear Dustin use the word assault that summer?

5 A. Sexual assault.

6 Q. What's that?

7 A. Sexual assault. He claimed that it
8 was sexual harassmt and assault.

9 Q. And just for the record, when you did
10 the finger wag with your two fingers up in the
11 air up and down, is that how Dustin portrayed
12 it to you?

13 A. Yeah.

14 Q. And when he did it, did he touch
15 himself, like did he touch his nose or did he
16 just wave his hands in the air?

17 A. He just waved his hands in the air.

18 Q. And then going down, you say, He
19 joked about it the entire summer and then
20 harassed Don at his house with us. They did
21 more harassing than Don.

22 Can you explain that?

23 A. I think I meant about going to the
24 house often and posing in front of his yard,
25 and putting things on his property. I don't